

**UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF MISSOURI**

STATE OF MISSOURI,
et al.,

Plaintiffs,

v.

MERRICK GARLAND, in his official
capacity as Attorney General of the United
States, et al.,

Defendants.

No. 4:24-cv-01473-SEP

**FIRST CONSENT MOTION FOR EXTENSION OF TIME TO RESPOND TO THE
COMPLAINT**

Defendants respectfully move under Federal Rule of Civil Procedure 6(b)(1)(A) to extend the deadline to answer or otherwise respond to the complaint in this matter by 60 days, from January 3, 2025 to March 4, 2025. In support of this motion, Defendants state as follows:

1. The State of Missouri filed this suit on November 4, 2024, challenging Defendants' authority to send Department of Justice monitors to polling places in the City of St. Louis on election day as indicated by a Department of Justice press release. Compl. ¶ 2, ECF No. 1. Plaintiffs simultaneously filed a motion for a temporary restraining order seeking to enjoin such monitoring. Emergency Mot. at 1, ECF No. 2. The Court denied the motion for a temporary restraining order the same day. Mem. and Order, ECF No. 10. Plaintiffs have since filed a notice that they intend to continue this litigation. Notice of Intent to Continue Litigation After Election Day, ECF No. 12 at 1.

2. Plaintiffs served the U.S. Attorney on November 4, 2024. Under Federal Rule of Civil Procedure 12(a)(2), Defendants' answer or other response to the complaint is currently due on

January 3, 2025.

3. Defendants respectfully request an extension of the response deadline. Federal Rule of Civil Procedure 6(b)(1)(A) permits extensions of time based on good cause for the extension. Good cause exists because of counsel's other existing work commitments, preplanned leave over the holidays, and the need for consultation within the Department of Justice about the best next steps in this litigation. Defendants' counsel have been diligent in reviewing the complaint and considering the next steps for this litigation, but the above reasons, taken together, would make it difficult to respond to the complaint by January 3, 2025.

4. This is Defendants' first request for an extension of time to respond to the complaint. Counsel for Defendants have conferred with counsel for Plaintiffs, who indicated that Plaintiffs consent to the extension request.

Because good cause exists for Defendants' extension request, this Court should extend Defendants' deadline to answer or otherwise respond to the complaint by 60 days, from January 3, 2025 to March 4, 2025.

Dated: December 13, 2024

Respectfully submitted,

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